

SCOTT N. SCHOOLS (SC 9990)  
United States Attorney

DOUG SPRAGUE (CASBN 202121)  
Acting Chief, Criminal Division

DEREK R. OWENS (CSBN 230237)  
Assistant United States Attorney

CRYSTAL TINDELL  
Law Clerk

450 Golden Gate Avenue, 11th Floor  
San Francisco, California 94102  
Telephone: (415) 436-7149  
Facisimile: (415) 436-7234  
[derek.owens@usdoj.gov](mailto:derek.owens@usdoj.gov)

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-0295 MAG
	)	
Plaintiff,	)	STIPULATION AND <del>[PROPOSED]</del>
	)	ORDER EXCLUDING TIME
v.	)	
	)	
NICOLE L. MAYS,	)	SAN FRANCISCO VENUE
	)	
Defendant.	)	
	)	

On July 10, 2007, the parties in this case appeared before the Court for a status hearing. At that appearance, Assistant Federal Public Defender Elizabeth Falk informed the Court the Defendant was unable to appear in Court due to work-related obligations. AFPD Falk stated that her office was continuing to investigate the case, and that she had just received a draft plea agreement from Counsel for the government. Therefore, the parties requested that the matter be continued to July 24, 2007, at 10:30 a.m. for a change of plea. In addition, Counsel for the government requested an exclusion of time from July 10, 2007 to July 24, 2007, in order to

1 afford AFPD Falk an opportunity to further investigate the case and consider a draft plea  
 2 agreement. AFPD Falk agreed that an exclusion of time is appropriate based on the defendant's  
 3 need for effective preparation of counsel. 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

4 SO STIPULATED:

5 SCOTT N. SCHOOLS  
 6 United States Attorney

7 DATED: 7/10/2007

8 /s/ Derek R. Owens  
 9 DEREK R. OWENS  
 Assistant United States Attorney

10 DATED: 7/10/2007

11 /s/ Elizabeth M. Falk  
 12 ELIZABETH M. FALK  
 Assistant Federal Public Defender

13 For good cause shown, the Court HEREBY ORDERS that time be excluded under the  
 14 Speedy Trial Act from July 10, 2007, to July 24, 2007. The Court finds, based on the  
 15 aforementioned reasons, that the ends of justice served by granting the requested continuance  
 16 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
 17 the requested continuance would deny counsel reasonable time necessary for effective  
 18 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
 19 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
 20 U.S.C. §§ 3161 (h)(8)(A) and (B)(iv).

21 SO ORDERED.

22 DATED: July 24, 2007

